

ORIGINAL

## IN THE UNITED STATES COURT OF FEDERAL CLAIMS

No. 15-1353T

(Filed: March 21, 2017)

FILED

MAR 21 2017

U.S. COURT OF  
FEDERAL CLAIMS

KIMBRICK J. HUNTER,

Plaintiff,

v.

UNITED STATES,

Defendant.

ORDER

Pending before the court is the plaintiff's unopposed motion to dismiss complaint, filed March 20, 2017. Plaintiff asks that his complaint be dismissed without prejudice, although he acknowledges that due to the passage of time he may lose his ability to pursue relief.

An answer was served by defendant on March 10, 2016, ECF No. 8, discovery was conducted by the parties, and defendant filed a motion for summary judgment on February 10, 2017, ECF No. 16.

The court has reviewed the complaint, the answer, and defendant's motion for summary judgment, and has concluded that plaintiff's motion to dismiss his complaint should be granted without prejudice and without any provision for costs. Accordingly, plaintiff's motion is GRANTED, and pursuant to Rule 41(a)(2) of the Rules of the Court of Federal Claims, the complaint shall be dismissed without prejudice. The clerk shall enter judgment in accord with this disposition.

No costs.

It is so ORDERED.



Charles F. Lettow  
Judge